

SENATE BILL 2345

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 11, relative to environmentally sound business development.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 11, is amended by adding sections 2-10 as a new appropriately designated chapter.

SECTION 2. The general assembly finds and declares that it is in the public interest to encourage new businesses to locate in the state and assist existing enterprises to remain and expand in the state by facilitating the development and commercial use of environmental and energy-related products, services and systems in the state that abate and prevent environmental pollution and promote energy conservation in a cost-effective manner.

The general assembly further finds and declares that it is the mission of the department of environment and conservation to preserve, sustain, protect and enhance the environment and ensure the integration of high environmental quality, public health and economic vitality. The general assembly therefore determines that it is in the public interest for the department to establish and implement a business loan program for the purpose of supporting businesses that employ environment-friendly standards in product development and promote environmentally sound policies.

SECTION 3. The department is hereby authorized to establish a business development revolving loan program to encourage businesses relocating to Tennessee, starting-up in Tennessee, or expanding into Tennessee to promote environmentally beneficial policies, goals, and operations, and to create environmentally sound products. Such policies and goals shall include, but not be limited to, pollution prevention, energy and resource conservation, waste reduction, and harvesting of natural resources.

SECTION 4. The business development program shall be governed and administered by a board known as the Tennessee board for green business development.

SECTION 5. The members of the board shall be the commissioner of environment and conservation, the commissioner of economic and community development, the commissioner of finance and administration, and five (5) other members who shall be appointed by the governor, as follows:

(a) One (1) shall be appointed from a list of nominees submitted to the governor by the Tennessee sierra club;

(b) One (1) shall be appointed from a list of nominees submitted to the governor by the Tennessee clean water network;

(c) One (1) shall be appointed from a list of nominees submitted to the governor by the southern alliance for clean energy;

(d) One (1) shall be appointed from a list of nominees submitted to the governor by the Tennessee lung association; and

(e) One (1) shall be appointed from a list of nominees submitted to the governor by the Tennessee chamber of commerce.

SECTION 6. If the governor does not choose to appoint one (1) of the persons recommended under the terms of section 5, the appropriate organization shall submit a new list of nominations to the governor equal in number to their original nominations.

SECTION 7. The five (5) appointed members' terms of office shall be four (4) years, except that the terms of those first appointed shall expire as follows:

(a) the terms of the nominees from the Tennessee sierra club, and the Tennessee clean water network expire at the end of two (2) years after date of appointment;

(b) the terms of the nominees from the southern alliance for clean energy and the Tennessee chamber of commerce expire at the end of three (3) years after date of appointment;

(c) the term of the nominee from the Tennessee lung association expires at the end of four (4) years after the date of appointment.

In making appointments to the board, the governor shall strive to ensure that at least one (1) person appointed to serve on the board is sixty (60) years of age or older, at least one (1) person appointed to serve on the board is a female, and at least one (1) person appointed to serve on the board is a member of a racial minority. If a vacancy occurs, the governor may appoint a member for the remaining portion of the unexpired term created by the vacancy. Each member shall be reimbursed for travel in accordance with the provisions of the comprehensive travel regulations as approved by the attorney general and reporter and the commissioner of finance and administration.

SECTION 8. The board shall hold at least two (2) regular meetings each calendar year at a place and time to be fixed by the board. The commissioner of environment and conservation shall be chair of the board, and the board shall select at its first meeting one (1) of its members to serve as vice chair. At the first regular meeting in each calendar year thereafter, the vice chair for the ensuing year shall be selected from among the members of the board. The director shall receive no additional compensation for such services. Special meetings may be called by the chair or by three (3) members of the board upon delivery of written notice to the office of each member of the board. Five (5) members of the board shall constitute a quorum, and a quorum may act for the board in all matters. The decision of a majority of a quorum shall be determinative of any question before the board except as otherwise specifically herein provided.

SECTION 9. All members of the board shall serve without compensation, but they shall be allotted necessary expenses while engaged in the work of or for the board in accordance

with the state's travel regulations. The department of economic and community development shall fund the reimbursement of travel expenses and meeting costs of the board. Any research and support efforts to develop the initiatives of the board also shall be provided and funded by the department.

SECTION 10. The governor may remove a member of the board for cause, specified in writing, prior to the expiration of the term.

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it